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SUBJECT: SWISS REFERENDUM APPROVES UNIVERSAL BIOMETRIC PASSPORTS

¶1. By the narrowest of margins, Swiss voters May 17 approved the country's transition next year to only biometric passports. With 1.9 million voters participating (38% of the eligible electorate, according to Swiss papers), the "yes" vote (for only biometric passports) garnered 50.14% (953,136 votes) to the "no" (against biometric passports) 49.86% (947,632 votes) position. The referendum actually failed in several cantons, including Basel, Bern, Geneva, and Ticino. Zurich and Luzern voters approved the new passport.

¶2. Switzerland plans to issue only biometric passports after 01MAR2010. E-passports will cost 140 CHF for adults (approximately \$130) and 60 CHF for minors (approximately \$50). The new e-passports ("Model 10") will be valid for ten years for adults or three to five years (yet to be decided) for minors. The current Swiss e-passports ("Model 06"), which are valid for five years, will be issued for the last time in February 2010, and will expire in ¶2015. The last non-biometric Swiss passports ("Model 03") will also still be issued through February 2010, and will expire in 2020.

¶3. Data privacy concerns drove opponents of universal e-passports. A collateral issue not on the ballot, but affecting the debate, was Swiss participation in a Schengen area-wide database. Concerns with privacy, already rankled by the UBS affair and EU attacks on bank privacy laws, also lay in the background.

¶4. The outcome removes the issue as a factor in Switzerland's continuing eligibility for the U.S. Visa Waiver Program (VWP). Switzerland had been operating under a two-tier passport system, where the holder decided whether he wanted a traditional or e-passport. In addition to its questionable compliance with U.S. statutory requirements that VWP member states issue biometric passports, the two-tiered system also increased post's visa workload. The higher priced biometric passports was an incentive for Swiss to obtain a traditional passport and apply for a U.S. visa, because the combined fees still cost less than the biometric passport and the visa gave travelers the possibility of more than 90 day stays.

¶5. Post had also heard rumors that the European Union had told Switzerland its continuing eligibility for membership in the Schengen area would have been on the line if the referendum failed. Switzerland only joined the Schengen area in 2008.

CARTER